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JUSTICE NEWS

Department of Justice

Office of Public Affairs

FOR IMMEDIATE RELEASE

Thursday, September 9, 2010

Justice Department and McNeese State University Reach Settlement to Ensure Compliance with the Americans with Disabilities Act

WASHINGTON - The Justice Department today announced a comprehensive settlement agreement with McNeese State University and the Board of Supervisors of the University of Louisiana System under the Americans with Disabilities Act (ADA).

The settlement agreement resolves a compliance review initiated by the United States in 2008. The United States initiated an investigation of the university after the state attorney general's office took the position - in private ADA litigation against the campus - that it was not required to have an accessible toilet room in its primary student union building. Under the agreement, McNeese, a public university located in Lake Charles, La., will continue its efforts to come into compliance with the access provisions of Title II of the ADA. The university will take a number of steps to improve access for students, visitors and employees with disabilities including:

- Bring all newly constructed facilities into compliance with the ADA Standards for Accessible Design;
- Develop and implement a campus wide Physical Access Plan to bring all covered facilities into compliance with the terms of this agreement and Title II of the ADA. The Physical Access Plan will include specific remedial actions and time tables to ensure that the university's programs, services and activities afford program access by no later than Sept. 1, 2016;
- Display information on its website about disability access and create and/or update its campus-wide emergency evacuation, sheltering, and shelter-in-place plans for individuals with disabilities; and
- Designate an ADA coordinator, to ensure that the university meets the terms of this Agreement and the requirements of the ADA.

In addition to the specific remedial work required by this agreement, the board of supervisors (in conjunction with the Louisiana Division of Administration/Office of Facility Planning) has commenced procedural changes to emphasize ADA accessibility rules and regulations for capital outlay projects for the University of Louisiana System.

"Full access to all programs and services is a civil right enjoyed by all, including individuals with disabilities. We are pleased that McNeese is taking steps to ensure that individuals with disabilities are guaranteed full access to its programs, services and activities, and we applaud the board of supervisors for taking steps to ensure access at all of the University of Louisiana campuses," said Thomas Perez, Assistant Attorney General for the Civil Rights Division.

"This is a positive move by McNeese and the board of supervisors. Their efforts reflect a commitment to ensuring that all individuals with disabilities have full access to the university," said Stephanie A. Finley, U.S. Attorney for the Western District of Louisiana.

It is a top priority of the U.S. Attorney's Office to enforce the laws that guarantee that persons with disabilities have equal opportunity to pursue their education."

The ADA protects individuals with disabilities from discrimination in all activities of state and local government entities, including those activities housed in public schools and universities. For more information about the ADA call the department's toll-free ADA Information Line at (800) 514-0301 or

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Disability Rights online **News**

U.S. Department of Justice
Civil Rights Division

**November 2010
Issue Thirty Nine**

Disability Rights Online News

is a bi-monthly update about the Civil Rights Division's activities in the area of disability rights. The Division enforces laws prohibiting discrimination based on disability in employment, housing, access to businesses serving the public, access to government programs and services, including voting and public transportation, and unconstitutional conditions in institutions of confinement.

In this Issue:

MCNEESE STATE UNIVERSITY AGREES TO IMPROVE CAMPUS ACCESSIBILITY

On September 9, 2010, McNeese State University, a public university located in Lake Charles, Louisiana, entered into a settlement agreement with the Department resolving access issues identified in a compliance review of the university's services, programs, and activities. McNeese has approximately 8,900 students and 68 buildings.

Under the agreement, McNeese will take a number of steps to improve access for students, visitors, and employees with disabilities, including bringing newly constructed facilities into compliance with Americans with Disabilities Act (ADA) Standards for Accessible Design (Standards); developing and

(Continued on page 2)

STATE OF GEORGIA AGREES TO OVERHAUL ITS MENTAL HEALTH AND DEVELOPMENTAL DISABILITY SYSTEM TO COMPLY WITH ADA

On October 19, 2010, the State of Georgia entered into a comprehensive settlement agreement with the Department that will transform the state's mental health and developmental disability system. The agreement requires the state to vastly expand its community-based services so that Georgia can serve individuals with mental illnesses and developmental disabilities in the most integrated setting appropriate to their needs,

(McNeese University, continued)

implementing a campus-wide physical access plan with specific remedial actions and timelines for making other facilities accessible by September 1, 2016; displaying information on its website about campus accessibility; updating its campus-wide emergency evacuation, sheltering, and shelter-in-place plans that address the needs of individuals with disabilities; and designating an ADA coordinator to oversee these compliance efforts.

The State of Louisiana's Division of Administration/Office of Facility Planning has control over the budget, design, and construction of all significant architectural projects at state owned buildings. Since the Department began its investigation, the University's Board of Supervisors has been discussing with the state agency how to incorporate ADA requirements into its rules and regulations for capital outlay projects for the University of Louisiana system.

"Full access to all

board of supervisors for taking steps to ensure access at all of the University of Louisiana campuses," said Thomas E. Perez, Assistant Attorney General for the Civil Rights Division.

"This a positive move by McNeese and the board of supervisors. Their efforts reflect a commitment to

ensuring that all individuals with disabilities have full access to the university," said Stephanie A. Finley, U.S. Attorney for the Western District of Louisiana. It is a top priority of the U.S. Attorney's Office to enforce the laws that guarantee that persons with disabilities have equal opportunity to pursue their education."

(State of Georgia, continued)

support services to better serve these individuals in the community. In addition, the state will increase its assertive community treatment, intensive case management, case management, supported housing, and supported employment programs to serve 9,000 individuals with mental illnesses in community settings. The state will create crisis services centers, crisis stabilization programs, mobile crisis units, and crisis apartments to respond to and serve individuals in a mental health crisis without the need for admission to a state hospital.

The Department began its investigation of Georgia's seven state hospitals in 2007, and found that preventable deaths, suicides, and assaults occurred with alarming frequency in the hospitals, in violation of the constitutional and legal rights of the hospital residents. In January 2009, the Department filed a lawsuit against the state under the Civil Rights of Institutionalized Persons Act (CRIPA) and entered into a settlement agreement with the state regarding conditions in the hospitals. In January 2010, the Department filed a separate ADA lawsuit against the state to protect individuals confined in state hospitals from continued unlawful segregation in